**HON'BLE SRI JUSTICE V.V.S.RAO**

**WRIT PETITION No.27197 of 2006**

**Dated:29.12.2006**

Between:

A.Ramachandra Raju.

…Petitioner

and

The District Registrar, and another.

…Respondent

**HON'BLE SRI JUSTICE V.V.S.RAO**

**WRIT PETITION No.27197 of 2006**

**ORDER:**

The petitioner is a resident of Naiduthota, Vepagunta Post, Visakhapatnam District. The petitioner alleges that he is in possession of land admeasuring 460 square yards, which fell to his share due to partition in between his family members who purchased the land admeasuring Ac.0.60 cents in Survey No.193/1 of Vepagunta Village from Dasari Peddi Naidu and two others. It is his case that as he is in urgent need of money and intended to sell his land, and approached the second respondent for execution of certain documents of conveyance. It is further alleged that the second respondent refused to register the said documents on the ground that it is a Government land, aggrieved by which, the present Writ Petition is filed.

Heard the learned Counsel for the petitioner and the learned Assistant Government Pleader for Revenue (General). It is no doubt true that when a document is presented, it is incumbent on the part of the Registering Officer to examine the same with reference to Sections 31 to 36 of the Registration Act, 1908 (the Act, for brevity) and/or Rules 26 and 58 of the Andhra Pradesh Rules under the Act. This aspect of the matter was considered by my learned brother Hon'ble Sri Justice A.Gopal Reddy in W.P.No.15199 of 2004, dated 01.09.2004.

Following the above, this Writ Petition is disposed of directing the second respondent or any other Registering Officer to accept the document presented by the petitioner and consider for registration. Be it noted, if for any reason, the document presented is not registered, it is incumbent on the

part of the Registering Officer to record and furnish reasons under Section 71 of the Act. Even thereafter, if the petitioner has any grievance, he may file appeal before the Appellate Authority under Section 72 of the Act. Thereafter, if any adverse order is passed by the Appellate Authority, the petitioner can file a suit under Section 77 of the Act. No costs.

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(V.V.S.RAO, J)

29.12.2006

Note: Issue C.C in one week.

B/o.

vs